

JS-6

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SANTA ANA DIVISION

HERO NUTRITIONALS LLC,  
a California corporation,  
  
Plaintiff,

vs.

NUTRACEUTICAL CORPORATION,  
a Delaware corporation;  
NUTRAMARKS, INC.,  
  
Defendants.

Case No. 8:11-CV-01195-AG-MLG

**JUDGMENT**

THIS MATTER having been tried to the Court on January 15 and 16, 2013, on Plaintiff Hero Nutritionals LLC's claims against defendants Nutraceutical Corporation and NutraMarks, Inc., and the Court having issued its Findings of Fact and Conclusions of Law that Plaintiff has failed to establish its claims for (1) trademark infringement in violation of 15 U.S.C. § 1114(1); (2) unfair competition in violation of 15 U.S.C. § 1125(a); (3) unfair competition under California Business & Professions Code § 17200 *et seq*; (4) constructive trust, and (5) accounting;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment

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1 is entered in favor of the Defendants Nutraceutical Corporation and NutraMarks,  
2 Inc., and against Plaintiff Hero Nutritionals LLC.

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5 Dated: 6th day of September, 2013

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Andrew J. Guilford  
United States District Judge

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